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OFFICE OF PETITIONS

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In re Application of :
William J. Veeneman :
Application No.: 10/662,754 :
Filed: September 15, 2003 :
Attorney Docket No.: 12051/US :
ON PETITION

This is a decision on the petition, filed June 4, 2010, which is being treated as a petition under 37 CFR 1.181 (no fee), requesting withdrawal of the holding of abandonment in the above-identified application.

The petition is **GRANTED**.

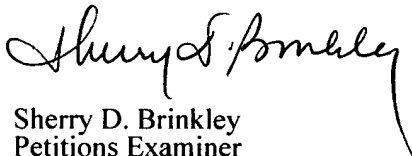
a final Office action was mailed on June 25, 2009, setting a shortened statutory period for reply of three (3) months. Accordingly, a response was due on or before September 25, 2009; however, the maximum statutory period for reply ended on December 28, 2009, since Friday, December 25, 2009 was a federal holiday. On April 26, 2010, a Notice of Abandonment was mailed. In response, on June 4, 2010, the present petition was filed wherein petitioner asserts that a reply was timely filed.

A review of the record discloses that petitioner is correct. In view of the Notice of Appeal and fee filed December 28, 2009, including an appropriate 3-month petition for extension of time and fee, the response is considered timely. Therefore, the holding of abandonment for failure to timely file a response to the final Office action of June 25, 2009 is withdrawn and the application is restored to pending status.

The Notice of Abandonment mailed April 26, 2010 is hereby vacated.

This application is being referred to Technology Center AU 3687 for appropriate action in the normal course of business in response to the reply received December 28, 2009.

Telephone inquiries concerning this decision may be directed to the undersigned at (571) 272-3204. All other inquiries regarding this application should be directed to the Technology Center.


Sherry D. Brinkley
Petitions Examiner
Office of Petitions